

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hasdi Matararssso

Serial No.: 10/522,073

For: A RESPIRATORY AND APPARATUS AND METHOD

International
Filing Date: July 22, 2003

US Filing Date: January 21, 2005

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

Confirmation No.: 7593

Customer No.: 27,623

Attorney Docket No.: 0002063USU/2279

Mail Stop PCT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450
Attention: DO/EO/US

Sir:

TRANSMITTAL OF MISSING PARTS OF APPLICATION AND
PAYMENT OF SURCHARGE UNDER 37 C.F.R. §1.16(e)

Transmitted herewith are the following documents pertaining to the above-identified application:

- ☒ Declaration and Power of Attorney form executed by Hasdi Matararssso;
- ☐ The undersigned attorney has verified that the applicant is entitled to a Small Entity Status;
- ☐ _____ Sheets of Formal Drawings;
- ☐ An Assignment of the Invention to : _____ including \$40.00 recordation fee and Assignment Recordation Cover Sheet;
- ☐ English Translation of International Preliminary Examination Report dated;
- ☐ Information Disclosure Statement (Form - 1449);
- ☒ A copy of the Notification of Missing Requirements Under 37 U.S.C. 371;
- ☐ Preliminary Amendment; and

____ Petition and Fee for Extension of Time (37 CFR 1.136(A)).

The Filing Fee is calculated below.

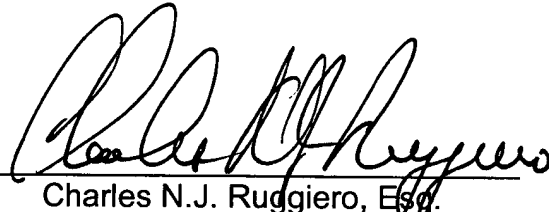
| CLAIMS AS FILED | | | | |
|---|---------------------|---------------------|-------------|------------------------------|
| (1) For | (2) Number Filed | (3) Number Extra | (4) Rate | (5) Basic Fee \$300.00 |
| Total Claims | 27 - 20 = | 0 | x \$50.00 | \$ |
| Independent Claims | 4 - 3 = | 0 | x \$200.00 | \$ |
| Multiple Dependent Claim Fee | | x \$360.00 = \$0.00 | | |
| SEARCH FEE | | \$500.00 | | |
| EXAMINATION FEE | | \$200.00 | | |
| NATIONAL STAGE APPLICATION SIZE FEE (\$250 FOR EACH ADDITIONAL 50 SHEETS OVER 100 SHEETS) | | \$ | | |
| TOTAL FILING FEE | | \$PAID | | |
| 1/2 FILING FEE FOR SMALL ENTITY | | \$ | | |

☒ A check in the amount of \$ 130.00 to cover the surcharge is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 01-0467**. A duplicate copy of this Form is enclosed.

July 6, 2005

Date



Charles N.J. Ruggiero, Esq.

Attorney for Applicant(s)

Registration No. 28,468

Ohlandt, Greeley, Ruggiero & Perle, L.L.P.

One Landmark Square, 10th Floor

Stamford, CT 06901-2682

Telephone: (203) 327-4500

Telefax: (203) 327 6401

07/12/2005 ATRANI 00000116 10522073

01 FC:1617

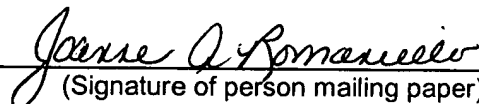
130.00 0P

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Certificate No. **EV703466705US**, service under 37 CFR §1.10 and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: DO/EO/US on July 6, 2005.

Joanne A. Romaniello

(Typed name of person mailing paper)



(Signature of person mailing paper)



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 06 JUL 2005

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/522,073 | Hasdi Matararssso | 0002063USU/2279 |

| |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/IL03/00599

Charles N J Ruggiero
 Ohlandt Greeley Ruggiero & Perle
 10th Floor
 One Landmark Square
 Stamford, CT 06901-2682

RECEIVED

MAY 11 2005

OHLANDT, GREELEY
 RUGGIERO & PERLE, LLP

| | |
|-----------------|---------------|
| IA. FILING DATE | PRIORITY DATE |
|-----------------|---------------|

07/22/2003

07/22/2002

CONFIRMATION NO. 7593

371 FORMALITIES LETTER



OC000000015958159

Date Mailed: 05/06/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/21/2005
- Copy of the International Search Report filed on 01/21/2005
- Information Disclosure Statements filed on 01/21/2005
- U.S. Basic National Fees filed on 01/21/2005
- Priority Documents filed on 01/21/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$130** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/522,073 | PCT/IL03/00599 | 0002063USU/2279 |

FORM PCT/DO/EO/905 (371 Formalities Notice)